

Application No.: 10/621,682
Amendment dated October 3, 2006
Reply to Office Action dated July 3, 2006

Docket No.: 65042-0431

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REMARKS

Applicant has carefully reviewed the non-final Office Action mailed July 3, 2006, in which claims 7 and 8 were rejected. Applicant thanks Examiner Cronin for the detailed review of the pending claims and the indication that claims 1-3, 6, 9-14 and 28-33 are allowed. Applicant also thanks Examiner Cronin for the telephonic interview granted on September 25, 2006 to discuss claims 7 and 8, which were previously indicated as containing allowable subject matter.

In response to the Office Action, Applicant has amended claims 1, 2, and 7-9. By way of this amendment, no new matter has been added. Accordingly, claims 1-3, 6-14, and 28-33 remain pending in this application. At least for the reasons set forth below, Applicant respectfully traverses the foregoing rejection. Further, Applicant believes that there are also reasons other than those set forth below why the pending claims are patentable, and reserves the right to set forth those reasons, and to argue for the patentability of claims not explicitly addressed herein, in future papers. Applicant respectfully requests reconsideration of the present application in view of the above amendment and the following remarks.

Amendments to Claims 1, 2, and 9

Applicants initially note that claims 1 and 9 have been amended to correctly introduce each element recited therein to provide proper antecedent basis in subsequent claims for those elements, as required under 35 U.S.C. §112. No new matter has been added to these claims, nor do the amendments adversely affect the claim scope. As such, these claims remain in condition for allowance.

Rejection of Claims 7 and 8 under 35 U.S.C. §102

The Examiner rejected claims 7 and 8 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,016,799 ("Stapleton"). This rejection is respectfully traversed.

Applicant directs the Examiner's attention to claims 7 and 8, which have been amended to include subject matter contained in claims 4 and 5 as originally filed. Applicant notes that claims 7 and 8 as originally filed were indicated as containing allowable subject matter by the Examiner in the first Office Action. *See Office Action dated 9/28/2005, page 3.*

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Claims 7 and 8 originally depended from claims 1, 4, and 5. Applicant amended claims 7 and 8 in the response to the first Office Action by incorporating the recitations of claim 1, but did not include at that time the subject matter of claims 4 and 5. With the addition of subject matter from claims 4 and 5, claims 7 and 8 are now patentable over the prior art of record. Reconsideration and withdrawal of the present rejection is therefore respectfully requested.

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CONCLUSION

Reconsideration and allowance are respectfully requested. In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes that no fee is due with this response. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge account number 18-0013 under Order no. 65042-0431 in the name of Rader, Fishman & Grauer PLLC.

Dated: October 3, 2006

Respectfully submitted,

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